

Remarks

Applicant has amended claims 1-8 and has added new claim 9. Applicant respectfully submits that no new matter was added by the amendment, as all of the amended matter was either previously illustrated or described in the drawings, written specification and/or claims of the present application. Entry of the amendment and favorable consideration thereof is earnestly requested.

The Examiner has rejected claims 1-8 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 2,693,254 to Barish ("the '254 patent"). The Examiner has further rejected claims 1-8 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,068,975 to Theuer ("the '975 patent"). These rejections are respectfully traversed.

Applicant respectfully submits that only clarifying amendments have been made to claims 1-8 to more clearly identify the invention. Applicant has further amended the claims to provide consistency of the claim terms.

All the claims of the present application require among other elements allowing rotation of the rotational member in an opposite direction only to the extent that the motor rotates in this opposite direction.

Applicant respectfully submits that the spring brake of the present application is deactivated via a one-way clutch when the transmission is rotated in the force-increasing direction, and when the motor is de-energized the torque from the outgoing shaft will be handled by the spring brake, which is locked by the springs via the one-way clutch. The result is that the brake will be arrested at its current position rather than being allowed to reverse rotate as taught in the prior art. It is only when the motor is actuated in the release direction and gradually releases the spring brake that the outgoing shaft is permitted to rotate in the releasing direction.

The Examiner has submitted that the '254 patent discloses a clutch (8 & 9) positioned between the rotational member 6 and a non-rotational housing (1 & 5), a ramp (31 & 37) that disengages the clutch means. (2/24/04 Official Action p. 2, lines 11-14). Applicant however submits that the '254 patent fails to teach, disclose or suggest allowing rotation of the rotational member in an opposite direction only to the extent that the motor rotates in this opposite direction as required by all the claims. Rather the '254 patent teaches and discloses that "upon de-energization of the torque motor, spring 13 again takes over and , by reason of the balls in the opposed parallel ramps, acts to reverse the rotation of the rotor ring until it resumes its normal position of Figure 3 to re-engage the brake." (Col. 3, lines 43-47) (emphasis added). This is the opposite to what is claimed and disclosed in the specification where it states that "[w]hen the electric motor is stopped, so that the torque on the ramp ring 8 disappears and the shaft 4 has a tendency to rotate in the opposite direction or brake release direction, this rotation is blocked by the one-way coupling 13 and the brake disc 14." (p. 5, par. 25) (emphasis added).

Applicant therefore submits that because the '254 patent fails to teach, disclose or suggest allowing rotation of the rotational member in an opposite direction only to the extent that the motor rotates in this opposite direction as required by all the claims, it cannot anticipate or render any of the claims obvious.

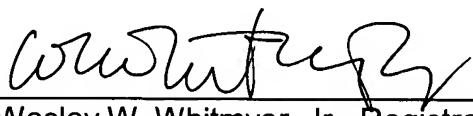
The Examiner has further submitted that the '975 patent discloses a rotational member 12 by a motor 4 in a drive direction and having a clutch 27 positioned between the rotation member 12 and a non-rotational housing 28, a ramp (38 & 39) that disengages the clutch. (2/24/04 Official Action p. 3, lines 1-4). Applicant however submits that the '975 patent fails to teach, disclose or suggest allowing rotation of the rotational member in an opposite direction only to the extent that the motor rotates in this opposite direction as required by all the claims. Rather the '975 patent teaches and discloses that the spring brake is released whenever a torque is transmitted between the electric motor and the outgoing shaft in either rotational directions. (Col. 8, lines 32-

47). Unlike the present invention, torque applied to the outgoing shaft will drive the motor in the release direction when the motor is de-energized. (Col. 8, lines 58-71). For instance, Figure 12 illustrates the cam projection with starting and ending points with the specification teaching that "the cam according to FIGURE 8 permits the brake to be disengaged when the motor is not under a load, and also continues to hold the brake in the disengaged position as long as there is no load, the cam according to FIGURE 12 requires for disengaging the brake a certain counter torque of a size of approximately 10% of the maximum load moment. This cam does, however, not require any additional opposing force in order to produce a braking action when the driving force ceases." (Col. 10, lines 60-69). This is the very opposite as is claimed in the present application.

Applicant therefore submits that because the '975 patent fails to teach, disclose or suggest allowing rotation of the rotational member in an opposite direction only to the extent that the motor rotates in this opposite direction as required by all the claims, it cannot anticipate or render any of the claims obvious.

It is respectfully submitted that claims 1-9, all of the claims remaining in the application, are in order for allowance and early notice to that effect is respectfully requested.

Respectfully submitted,



Wesley W. Whitmyer, Jr., Registration No. 33,558
Steven B. Simonis, Registration No. 54,449
Attorneys for Applicants
ST.ONGE STEWARD JOHNSTON & REENS LLC
986 Bedford Street
Stamford, CT 06905-5619
203 324-6155